



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (August 2017)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: August 15, 2017

TIME: 9:06 AM

WSR 17-17-072

Agency: Department of Social and Health Services, Aging and Long-Term Support Administration

Subject of possible rule making: The department is considering adding new sections, repealing sections, and amending existing sections within chapter 388-113 WAC including WAC 388-113-0005, WAC 388-113-0010, WAC 388-113-0030, WAC 388-113-0040, and other related rules as may be required. The department is also considering adding new sections, repealing sections, and amending existing sections within chapter 388-71 WAC including WAC 388-71-0500, WAC 388-71-0505, WAC 388-71-0510, WAC 388-71-0512, WAC 388-71-0513, WAC 388-71-0514, WAC 388-71-0515, WAC 388-71-0516, WAC 388-71-0523, WAC 388-71-0540, WAC 388-71-0543, WAC 388-71-0544, WAC 388-71-0546, WAC 388-71-0551, WAC 388-71-0553, WAC 388-71-0556, WAC 388-71-0560, WAC 388-71-0836, WAC 388-71-0839, WAC 388-71-0860, WAC 388-71-0870, WAC 388-71-0875, WAC 388-71-0880, WAC 388-71-0888, WAC 388-71-0890, WAC 388-71-0911, WAC 388-71-0932, WAC 388-71-0936, WAC 388-71-0975, WAC 388-71-0980, WAC 388-71-0985, WAC 388-71-0990, WAC 388-71-0991, WAC 388-71-1001, WAC 388-71-1026, WAC 388-71-1055, WAC 388-71-1066, and other related rules as may be required.

Statutes authorizing the agency to adopt rules on this subject: RCW 74.08.090, RCW 74.09.520, RCW 74.39A.056, RCW 43.43.832, RCW 43.43.842

Reasons why rules on this subject may be needed and what they might accomplish: The purpose for making changes is to clarify and consolidate rules related to background checks, disqualifying convictions and negative actions, and character, competence, and suitability (CC&S) determinations for Home and Community Services, Residential Care Services, and the Developmental Disabilities Administration (DDA). The changes will provide better clarity and understanding for the public and contracted entities, reduce the amount of WAC language across programs, and help preserve the health and safety of our clients. Other provisions related to long-term care worker qualifications will also be clarified and consolidated. This notice supersedes the Preproposal Statement of Inquiry filed on June 22, 2016 as WSR 16-13-153.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Aging and Long-Term Support Administration and the Developmental Disabilities Administration will collaborate and coordinate with the DSHS background check central unit to consolidate and coordinate rules related to background checks, negative actions, and CC&S determinations including Chapters 388-06, 388-71, 388-76, 388-78A, 388-97, 388-101, 388-106, 388-107, and 388-825 WAC, and other related rules as may be required.

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study

☒ Other (describe) DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:


(If necessary)

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Additional comments:	
Date: August 9, 2017	Signature: 
Name: Katherine I. Vasquez	
Title: DSHS Rules Coordinator	